IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.590 OF 2006
IN
FIRST APPEAL NO.208 OF 2006

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Office Notes,Office memorandum of Coram, appearances,Court's orders or directions & Registrar's orders.	Court's or Judge's orders

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CORAM: A.S.OKA, J.
DATED: MARCH 29, 2006.

P.C.:

1. Heard learned A.G.P.for the Applicant/Appellant. The challenge in the First Appeal is to the Judgment and Award under Section 18 of the Land Acquisition Act, 1894. The execution of such Award cannot be stayed unless entire amount due and payable under the impugned Award is deposited by the Applicant.

2. Hence I pass the following order :

i) There will be interim relief in terms of prayer clause (b) subject to the condition that the entire amount due and payable under the impugned Judgement and Award will be deposited by the Applicant with the Reference Court within twelve

weeks from today. If the amount is not deposited within stipulated period, stay granted will stand vacated automatically. If the amount is deposited by the Applicant, the Respondent will be entitled to withdraw the said amount subject to furnishing security to the satisfaction of the Reference Court.

ii) If the amount deposited by the Applicant is not withdrawn by the Respondent within a period of four months from the date of deposit of the amount, the learned Trial Judge will invest the same in any nationalised bank initially for a period of three years in fixed deposit. The fixed deposit will be renewed from year to year till the final disposal of the Appeal.

3. Civil Application is disposed of in above terms.

4. As this order is passed without notice to the Respondent, liberty to the Respondent to apply for modification of

this order.

Judge.

Judge.